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MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

JOE SERNA JR., CalePA BUILDING
1001 I STREET
BYRON SHER AUDITORIUM
SACRAMENTO, CALIFORNIA

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APPEARANCES

BOARD MEMBERS

Ms. Margo Reid Brown, Chairperson

Ms. Sheila Kuehl

Mr. John Laird

Ms. Carole Migden

Ms. Rosalie Mul

Mr. Gary Petersen

STAFF

Mr. Mark Leary, Executive Director

Ms. Rubia Packard, Chief Deputy Director

Mr. Elliot Block, Chief Counsel

Ms. Tracey Cottingim, Administrative Assistant

Mr. Tom Estes, Deputy Director, Administration and Finance
Division

Ms. Mindy Fox, Assistant Director, Office of Education and
the Environment

Ms. Kristen Garner, Executive Assistant

Ms. Diane Hightree, Executive Assistant

Ms. Elizabeth Huber, Legislative Director

Mr. Howard Levenson, Director, Sustainability Program

Mr. Jon Myers, Assistant Director, Office of Public
Affairs

Mr. Ted Rauh, Director, Waste Compliance and Mitigation
Program

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APPEARANCES CONTINUED

ALSO PRESENT

Mr. Arthur Boone, Northern California Recycling
Association

Mr. Ricardo Martinez, Deputy Secretary, California
Environmental Protection Agency

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1 PROCEEDINGS

2 CHAIRPERSON BROWN: Good morning. Welcome to the
3 January meeting of the California Integrated Waste
4 Management Board.

5 Does that sound bad back down there?

6 It sounds weird.

7 I'll project.

8 Kristen, can you call the roll.

9 EXECUTIVE ASSISTANT GARNER: Kuehl?

10 BOARD MEMBER KUEHL: Here.

11 EXECUTIVE ASSISTANT GARNER: Laird?

12 BOARD MEMBER LAIRD: Here.

13 EXECUTIVE ASSISTANT GARNER: Migden?

14 BOARD MEMBER MIGDEN: Here.

15 EXECUTIVE ASSISTANT GARNER: Mulé?

16 BOARD MEMBER MULÉ: Here.

17 EXECUTIVE ASSISTANT GARNER: Petersen?

18 BOARD MEMBER PETERSEN: Here.

19 EXECUTIVE ASSISTANT GARNER: Brown?

20 CHAIRPERSON BROWN: Here.

21 Yeah, maybe we can find Bob for some feedback

22 issues, because it's really -- okay, thank you.

23 Any ex partes to report?

24 I'd like to remind people in the audience to turn
25 your cell phones and pagers to the vibrate mode.

1 If you intend to speak, there are speaker slips
2 in the back of the room on the table. If you would like
3 to speak to an item, please bring the slip up to Kristen.

4 We will be going into closed session at the
5 conclusion of our regular business.

6 And I'd like to invite everybody to stand for the
7 Pledge of Allegiance.

8 (Thereupon the Pledge of Allegiance was
9 Recited in unison.)

10 CHAIRPERSON BROWN: Thank you.

11 This is the first meeting for one of our new
12 members. And I'd like to formally welcome Senator Migden
13 to the Board.

14 BOARD MEMBER MIGDEN: Thank you very much, Madam
15 Chair.

16 CHAIRPERSON BROWN: And as you all know, Member
17 Laird and Kuehl joined us for their first meeting last
18 month.

19 So we are going to rearrange our normal business
20 a little bit. And I would like to move Public Comment to
21 the next item on our agenda. And it will be followed then
22 by our Executive Director's report.

23 We have two people who have asked to speak during
24 public comment. The first, Ricardo Martinez from CalePA.

25 CALEPA DEPUTY SECRETARY MARTINEZ: Good morning,

1 Madam Chair, distinguished Board members. My name's
2 Ricardo Martinez. I'm Deputy Secretary at the California
3 Environmental Protection Agency. I run the Border Affairs
4 Unit, which is a unit dedicated solely to enhancing our
5 relationship with Mexico and addressing the environmental
6 problems that we share with Mexico along our 162-mile
7 border.

8 The reason I'm here today is I wanted to make
9 reference to Agenda Item 4 and 8, because I see it's a
10 good part of your agenda today. I just wanted to thank
11 the Board for their support, their leadership.
12 Particularly Director Mark Leary's been very supportive as
13 well as some of you Board members.

14 And we want to extend an invitation to the newly
15 appointed Board members to come and take a tour with us
16 down to the border so you can have first hand and see
17 intimately the work that your staff is doing as well as
18 what we're doing again to protect our interests. Because
19 unbeknownst to a lot of people, California lies
20 topographically below Mexico. That means that any flow,
21 controlled or uncontrolled, we end up getting it. And
22 it's better to make friends than to build big fences.

23 Thank you very much.

24 (Laughter.)

25 CHAIRPERSON BROWN: Thank you, Ricardo.

1 Our next speaker during public comment is Mr.

2 Arthur Boone.

3 MR. BOONE: My name is Arthur Boone. I'm the

4 Education Chairperson for the Northern California

5 Recycling Association.

6 Last month we were here talking about the Redwood

7 Landfill in Marin County. And I just wanted to tell you

8 that there was a lawsuit filed on Friday in Marin Superior

9 Court brought by some local residents and our association

10 and others groups as well. And we're still trying to

11 figure out -- the complaint is fairly detailed. It

12 basically goes that the inadequate discovery on the

13 no-landfill alternative does not adequately explore the

14 EIR. So I thought I'd just bring you up-to-date on that.

15 That might be something you want to follow.

16 We're also interested in the fact that apparently

17 somebody told us after the hearing last time that we

18 shouldn't be discouraged that you all didn't give us any

19 crumbs, because the Board has tended not to do that

20 historically. And so we're going to take some time to try

21 and go back over the occasions in the last ten years where

22 the Board has been looking at permit review questions and

23 see whether the Board has, in fact, done anything

24 meaningful on that score. That's important to us.

25 The second item I was asked to bring to your

1 attention is the fact that the Biocycle magazine every
2 year in December or late in the year, early in the year
3 they come out with a survey of the state of garbage in
4 America. And for some reason or other there is no data
5 about California in this report. Here we are the seventh
6 largest economy in the world, the largest state in the
7 country, we have more activities than anything, but
8 somehow the data that comes out of the state is not in
9 this report. It makes it very difficult to go into other
10 states. I'm going to be in Colorado next week to talk to
11 people about what we're doing in California, and we don't
12 have any data in this report. It's a very critical
13 report. It's relied on heavily by the industry. So I
14 hope that you will make sure that the staff does what they
15 need to do to make that happen.

16 The third thing I wanted to remind you is we had
17 a discussion about SB 1016. And at the last meeting this
18 was characterized as a waste disposal base measurement.
19 We didn't really think so. We have a conference the same
20 day as your meeting in March. And we have a couple of
21 lawyers who have read SB 1016 very carefully. They feel
22 it's a type of rebuttal evidence used to determine whether
23 people are making good faith efforts, but that the
24 fundamental method by which California is defining and
25 measuring success in recycling has not really changed. So

1 I think it's really inappropriate -- we think it's
2 inappropriate to refer to SB 1016 as a disposal-based
3 measurement system.

4 The next thing I want to say is the Sierra Club
5 yesterday submitted to the Obama transition team a fairly
6 major piece of work that I hope you all will notice. It
7 basically suggested that we put a tax on landfilled
8 materials on the national basis. It would be in the order
9 of \$20 to \$40 a ton as a mechanism to fund a lot of
10 recycling programs. Gary Liss, who many of you know,
11 wrote that proposal. It has been backed by the Sierra
12 Club's National Zero Waste Committee. I hope you'll pay
13 attention to it. I'll make sure all of you get copies of
14 what went in yesterday. But we all want to have a lot of
15 recycling to happen, but it does take a lot of money. And
16 this seems to us to be a good way to do it.

17 Last thing I want to talk about is the Kirby
18 Canyon landfill. I hope those of you are aware of the
19 fact that there was a major legal breakthrough about a
20 month ago. A man apparently had been bribing a number of
21 employees at the landfill, and -- both the gate people,
22 the tractor pushers and the load checkers. So he was
23 bringing large quantities of material into that landfill
24 with no cost -- no direct cost to him, except the money
25 that he was paying in bribes to employees of the landfill.

1 The Newspaper account, which is in all the local
2 papers in the Bay Area early in January, suggested that
3 this had been going on for close to ten years. It took
4 the city of San Jose eight years to wake up to this. And
5 it took -- well, apparently the data that they were
6 releasing to the press basically suggested the amount of
7 their losses for the last two years only.

8 And so I think it's very important that the Board
9 take a full recovery position relative to the owner of the
10 landfill. I believe that's sloppy bookkeeping. I've
11 never ran a business bigger than the -- our cash goes in
12 my pocket. So I don't have a lot of knowledge about how
13 you control cash and keep an eye on it. But I know that
14 this is a great embarrassment, I think, to the Waste
15 Management Corporation. And I'm not here to bang on them.
16 That's another issue.

17 But my big problem is if -- several years I've
18 been telling the people in Alameda County they're doing a
19 crummy job recycling. Look at Santa Clara County.
20 They're actually cutting their garbage volume. And the
21 way they cut their garbage volume is that maybe they ran a
22 couple hundred thousand tons into their landfills without
23 putting it on the books.

24 Now, I know in the old days you guys used to take
25 pictures of landfills on a regular basis. You had

1 flyovers and stereoptical pictures, and you could then
2 tell -- and you could compare that against the reported
3 tonnages of the landfill and there were experts who could
4 look at those pictures and say whether that was correct or
5 not. I don't know if you're still doing that, whether you
6 need to do that or not. But in hard times, everybody's
7 cash money, everybody's glad to do a little graft and
8 corruption. I was at a meeting in Alameda County last
9 week. We asked Waste Management of Alameda County, "Does
10 this happen here?" "Oh, no." We don't have authority to
11 investigate their books.

12 But we certainly would look to the Board to keep
13 an eye on all of this kind of stuff. The city of San Jose
14 lost a tremendous amount of money that they have to
15 recover. You lost money. The data from Santa Clara
16 County is terribly flawed now for some period because all
17 the stuff was going in without being properly recorded in
18 the registers and reported. So it's an issue that I hope
19 you all will pay attention to in the future. It's
20 important to those of us who work in programs on the local
21 level.

22 Thank you.

23 CHAIRPERSON BROWN: Thank you very much, Mr.
24 Boone.

25 I think we're going to start with the Executive

1 Director's report.

2 (Thereupon an overhead presentation was
3 Presented as follows.)

4 EXECUTIVE DIRECTOR LEARY: Thank you, Madam
5 Chair, and good morning, members. And a special welcome
6 to new Member Carole Migden. Glad to have you aboard. On
7 behalf of the staff, welcome.

8 Madam Chair, I have one announcement before I
9 begin my presentation of our 2008 Year in Review and, that
10 is, that we've completed the process -- I've completed the
11 process of selecting our Chief Deputy Director. And I'm
12 pleased to announce today that Rubia Packard has been
13 selected by me to serve as our Chief Deputy Director. And
14 I say, welcome, Rubia. She's a great selection and the
15 organization knows her well.

16 (Applause.)

17 EXECUTIVE DIRECTOR LEARY: She wasn't expecting
18 that at that moment. That was a good one.

19 CHIEF DEPUTY DIRECTOR PACKARD: No, I wasn't.

20 EXECUTIVE DIRECTOR LEARY: Madam Chair, I really
21 appreciate this opportunity to talk about our 2008 and
22 what we have accomplished in that year. It's maybe a
23 little bit of self-indulgence, but I think it's worthy
24 self-indulgence in the sense that we have much to be proud
25 of and I'm very proud and pleased to be the representative

1 of staff in speaking about our accomplishments in 2008.

2 In spite of all of our challenges, the ever
3 changing economy, budget and other major factors, our
4 staff continued to embrace their work and our mission with
5 vigor. We've accomplished much and, of course, we have
6 much to be done.

7 My presentation will be in largely three parts.
8 I have one section devoted to notable successes
9 accomplished in 2008, notable quantifiable successes.
10 Part 2 is about program improvements we made in our
11 various programs. And 3, I'm going to talk a little bit
12 about our ongoing work and notable progress we've made in
13 regards to that ongoing work.

14 But before I begin, I'd like to explain that this
15 presentation largely discusses accomplishments that are
16 mostly from our Waste Compliance and our Sustainability
17 programs, as well as in our Environmental Ed program.
18 However, virtually none of this would have been
19 accomplished without the close collaboration and support
20 of our Administration Services and Finance Division led by
21 Tom Estes, our Office of the Chief Counsel led by Elliot
22 Block, our Office of Legislative Affairs led by Elizabeth
23 Huber, and, of course, our Office of Public Affairs led by
24 Jon Myers. And I want to appreciate and acknowledge the
25 strong support we receive from them on a day-to-day basis.

1 In terms of quantifiable successes, we've
2 accomplished a lot over -- and the successes I will note
3 today are just a small part of our overall picture. But
4 they help to demonstrate the range and effect of our
5 efforts over the year.

6 --o0o--

7 EXECUTIVE DIRECTOR LEARY: Firstly, in terms of
8 statewide diversion. The statewide diversion rate jumped
9 from 54 percent in 2006 to 58 percent in 2007 as a result
10 of our continued focus on program implementation. This
11 was accomplished with a population increase of 1.2
12 percent; a total employment increase of about a percent;
13 and taxable sales increase, about 8/10 of a percent.

14 But despite the modest growth the State
15 acknowledged in 2008, the amount of waste disposed in our
16 landfills declined by 6.2 percent from 2006 levels.

17 The per resident disposal of the state decreased
18 from 6.2 pounds per day to 5.8 pounds per day. And the
19 per employee disposal of our employment base decreased
20 from 15.4 pounds per day to 14.3 pounds per day.

21 --o0o--

22 EXECUTIVE DIRECTOR LEARY: We accomplished much
23 in the site cleanup area. Wide range of sites were
24 cleaned up in 2008 as a result of the Board's efforts,
25 from large sham recycling facilities like Mission Fibers

1 in Riverside County, to urban illegal dumping sites in the
2 city of Los Angeles -- I'm sorry -- yes, to urban legal
3 dumping sites in the city of Los Angeles, to large legacy
4 rural open dumps in Humboldt County, to legacy tire sites
5 in Sonoma County, to closed landfills with gas migration
6 issues in the city of Duarte. Twelve projects totaling \$6
7 million were approved in 2008 alone.

8 But the 2136 cleanup program completed its 15th
9 year with a continued strong demand and sustained
10 performance. To date, total Board projects funded from
11 the Solid Waste Cleanup program is \$85.3 million, with
12 14.2 of those million dollars of these costs have been
13 recovered, and an additional 48.5 million in leveraged
14 funding from project partners.

15 Approximately 800 sites have been cleaned up over
16 the 15 years and 185 other cleanup projects are in
17 progress.

18 Associated with that, the Farm and Ranch Cleanup
19 grants totaled \$878,000 in 2008 to 21 local agencies to
20 clean up 65 rural farm and ranch illegal disposal sites.

21 And then the Tire Cleanup and Amnesty Grant
22 program provided \$1.99 million for 44 programs that
23 cleaned up more than 650,000 tires, a significant increase
24 from prior years.

25 --o0o--

1 EXECUTIVE DIRECTOR LEARY: Speaking of tires,
2 we're still pretty darn good at diverting tires. In 2006,
3 an estimated 74 percent of waste tires were diverted from
4 disposal or stockpiles as compared with a diversion rate
5 of about 33 percent in 1990. This means that 33 million
6 of the 44 million tires generated in California are being
7 recycled or reused. This is largely accomplished, as you
8 know, through technical assistance, training, guidance,
9 and grants. But we're still striving to meet our
10 strategic directive goal, which is to raise this rate to
11 90 percent by 2015.

12 In the year 2008, we were awarded 137 grants for
13 tire-derived product and RAC incentive grants, totaling
14 \$11.4 million.

15 --o0o--

16 EXECUTIVE DIRECTOR LEARY: Speaking of grants, we
17 awarded a number of grants. We awarded more than \$41
18 million in grants to about 600 different government,
19 educational, and private entities statewide.

20 In the markets area, 170 wards were for almost
21 \$18 million. In the Enforcement/Compliance Program
22 grants, 107 awards for more than \$11.7 million. And
23 entitlement grants to local jurisdictions totaled 285
24 awards for more than \$11.4 million.

25 --o0o--

1 EXECUTIVE DIRECTOR LEARY: And in the area of
2 financial support, of course, our Recycled Market
3 Development Zone Loan Program continues to be successful.
4 In fact, in 2008 we reached a major milestone, topping
5 \$100 million in loans to recycling-based manufacturers in
6 California since the early 1990s; for a total of 153 loans
7 to 120 businesses.

8 Businesses aided through these loans or technical
9 assistance annually divert about seven million tons of
10 waste from California landfills and have created 8,800 new
11 jobs for the California workforce.

12 In 2008 specifically, four loans were approved
13 for more than \$5.7 million for recycling plastic film to
14 pelletized plastic, waste tires to crumb rubber,
15 agricultural plastic film and blue hospital wrap into
16 pelletized plastics and flakes.

17 --o0o--

18 EXECUTIVE DIRECTOR LEARY: Going great guns in
19 the E-waste Recycling Program. Over half a billion pounds
20 of obsolete televisions and computer monitors have been
21 recovered and processed for recycling since the inception
22 of the program. Nearly \$240 million to date have been
23 paid out to an expanding network of more than 650
24 collectors and 60 recyclers to manage this waste.

25 --o0o--

1 EXECUTIVE DIRECTOR LEARY: Back to our local
2 jurisdictions. Every two years the Board formally
3 evaluates progress for each jurisdiction in the state
4 towards that 50 percent goal and adequately implementing
5 the programs it chose and planned. This was completed in
6 December. And I'm pleased to report that a total of 340
7 jurisdictions were deemed to have met this goal.

8 Another 61 jurisdictions that were below the 50
9 percent marker went through an even more rigorous process
10 to determine if they were making an adequate good faith
11 effort to implement their programs. This involved months
12 of analysis, at all levels of management review.
13 Ultimately, 55 of these were recommended for good faith
14 effort, with the Board approving them in December.

15 This is testimony, of course, to the success of
16 the 939 effort and the jurisdiction and businesses' effort
17 to build collection, processing and recycling
18 infrastructure now worth billions of dollars.

19 Another six are either now on compliance order or
20 being evaluated for compliance, along with about a dozen
21 that were already on compliance orders.

22 --o0o--

23 EXECUTIVE DIRECTOR LEARY: The Board continued
24 its commitment in 2008 to a comprehensive enforcement
25 program, and fair enforcement program. A number of

1 significant enforcement actions were done in 2008.

2 Golden By-Products, a major waste tire facility,
3 paid \$50,000 in penalties and entered into a stipulated
4 agreement that required additional fire protection. And
5 as it turns out, a fire late in 2008 was quickly under
6 control due to the Board's required tire fire protection.

7 Tri-C, a tire hauler, was operating four illegal
8 waste tire sites. They did not comply with the orders and
9 were assessed penalties of \$120,000.

10 City of Cerritos was fined \$82,000 for failure to
11 implement their compliance order to implement programs;
12 largest penalty the Board's ever assessed for failure to
13 implement 939.

14 The Waste Board conducted an administrative
15 conference for Mono County's LEA due to deficiencies in
16 several programs. Mono County LEA has made significant
17 programs as a result of this interaction, including
18 restructuring and hiring new staff. They are currently in
19 compliance with their work plan and all required aspects
20 of the LEA program.

21 Between October of 2007 and 2008, Board staff
22 issued 19 notices of intent to list noncomplying solid
23 waste facilities on the Board's inventory of facilities
24 that are violating state minimum standards. Nine
25 facilities as a result of that notice have come into

1 compliance and four were listed on the inventory.

2 We've also collected \$225,000 in penalties from
3 three companies for failure to comply with the Rigid
4 Plastic Packaging Container minimum recycled content
5 requirements in 2008.

6 --o0o--

7 EXECUTIVE DIRECTOR LEARY: Now moving into the
8 second area where we've made significant program
9 improvements.

10 2008 was a year of continuing transition. We
11 followed through with the reorganization, we refined, we
12 revised. We focused on our Strategic Directives, the
13 Board's priority setting mechanism. And we've made
14 substantial development work on major initiatives,
15 including climate change, EPR and organics.

16 We also took on new responsibilities like climate
17 change, pharmaceuticals and sharps, and the Plastic Bag
18 Recycling Program in 2008.

19 And we focused on program improvements, both as
20 an outgrowth of the reorganization and in response to the
21 Board's direction through the Strategic Directives.

22 --o0o--

23 EXECUTIVE DIRECTOR LEARY: I don't care what you
24 say, we changed our measurement system with 1016 in 2008.
25 Significant achievement working through the Legislature as

1 it passed a simplified and timelier measure of
2 jurisdiction performance. We changed from estimated
3 diversion measurement number to a per capita
4 disposal-based number as reported by disposal facilities.

5 In addition, we think this is simpler, it's more
6 accurate, it's timelier, and it makes a critical change of
7 supporting emphasis on program implementation.

8 --o0o--

9 EXECUTIVE DIRECTOR LEARY: We streamlined our
10 grants process. And we established a grant process
11 improvement team to review all Board grant programs,
12 processes and procedures and policy to ensure consistency,
13 to streamline procedures, and more effectively meet the
14 needs of our stakeholders.

15 We are continuing to focus and streamline our RAC
16 grant process.

17 --o0o--

18 EXECUTIVE DIRECTOR LEARY: We implemented a new
19 audit program in 2008 to enhance the fiscal integrity of
20 our internal processes relative to grants, loans and
21 contracts. We continued to build our Audits and
22 Evaluations Unit and establish ambitious new goals
23 approved by you in June.

24 Recruitment and training continues in order to
25 attain the long-range goal of annually auditing 17 percent

1 of the Board's grants, contracts, loans and E-waste
2 claims. We already have 73 grant and 21 E-waste audits
3 underway or have actually been completed.

4 --o0o--

5 EXECUTIVE DIRECTOR LEARY: We established a
6 streamlined penalty program in the waste tire hauler
7 violations that allows prosecution of significantly more
8 cases in a shorter timeframe. Eighty streamlined penalty
9 cases were settled in six months as a result of this
10 simplified process, as compared to six in the prior six
11 months.

12 --o0o--

13 EXECUTIVE DIRECTOR LEARY: We continued to focus
14 on improving our efficiency in certain programs like tire
15 enforcement, used oil, RMDZ, WRAP awards, and the E-waste
16 Program.

17 --o0o--

18 EXECUTIVE DIRECTOR LEARY: And then we've
19 improved in our enforcement tools, working with the
20 Legislature to make changes to statute that expanded and
21 enhanced LEA and Board authority regarding solid waste
22 facilities, which streamlines the process for the
23 assessment of civil penalties, allows for direct Board
24 enforcement with mutual agreement with the LEA, repeals
25 the automatic stay of an enforcement action upon a request

1 for a hearing, and establishes criminal penalties.

2 --o0o--

3 EXECUTIVE DIRECTOR LEARY: And then on ongoing
4 work, we've made significant progress in a number of
5 areas.

6 First and foremost, of course, is climate change.
7 We continue to play a key role in California's climate
8 change initiatives through the Climate Action Team
9 Recycling and Waste Management Subgroup.

10 Madam Chair, you sit on the Climate Action Team
11 and continue to participate on a daily basis.

12 And the seven measures were reduced and --
13 introduced into the Climate Action Plan related to waste
14 and recycling, and it helped reduce greenhouse gas
15 emissions.

16 --o0o--

17 EXECUTIVE DIRECTOR LEARY: We continue to be a
18 strong champion of the new idea of solid waste management,
19 extended producer responsibility. Ongoing efforts to
20 obtain statutory authority will go forward to implement
21 EPR. And numerous activities related to voluntary
22 producer responsibility efforts were acknowledged and
23 noted by the Board.

24 --o0o--

25 EXECUTIVE DIRECTOR LEARY: In the organics areas,

1 we continue to follow the road map updated on a regular
2 basis, focusing on new and expanded facilities that
3 produce compost mulch, biofuels and bioenergy.

4 --o0o--

5 EXECUTIVE DIRECTOR LEARY: We've contracted now
6 for the Infrastructure Project, a long awaited and long
7 overdue comprehensive inventory of California's solid
8 waste, diversion and market infrastructure and material
9 flows. It's with that knowledge, we hope to enhance our
10 recycling infrastructure.

11 --o0o--

12 EXECUTIVE DIRECTOR LEARY: We want to make
13 progress -- or continue to make progress and lead the way
14 in greening California's operations through our work with
15 the Department of General Services and our work on the
16 Environmentally Preferable Purchasing Best Practices
17 Manual.

18 We have included environmental language into
19 several contracts in State government. We've developed
20 on-line EPP Best Practices Manual covering more than 40
21 products. We've collaborated with DGS on an electronic
22 procurement system. And just recently, we received
23 requests for assistance for greening operations of CalPERS
24 and the California Department of Insurance.

25 They look to us for greening their operations. I

1 like that we're in that leadership role.

2 --o0o--

3 EXECUTIVE DIRECTOR LEARY: In the permitting
4 area, we've developed emergency regulations required by
5 1473 to authorize enforcement agencies to issue a
6 temporary solid waste facilities permit and concurred on
7 15 temporary permits.

8 The Board concurred on 28 permits, approved three
9 minor tire storage facilities; 13 were new, 15 were
10 revised, and three were modified. The Board was the EA
11 this year for the Sunshine Canyon Landfill permitting to
12 bring two separately permitted facilities together under
13 one permit and conditionally a new LEA for the facility,
14 first of its kind.

15 And the Board worked through and ultimately
16 approved complex and controversial permits for Redwood,
17 Cold Creek Compost, NorCal Systems Hay Road, Florin
18 Perkins.

19 --o0o--

20 EXECUTIVE DIRECTOR LEARY: In the inspections
21 area, we continue to meet our statutory mandates and
22 strategic directives. We've conducted approximately 686
23 inspections from October to October.

24 --o0o--

25 EXECUTIVE DIRECTOR LEARY: The Board is in the

1 midst of the comprehensive review of financial assurances
2 for post-closure maintenance for landfills, in part
3 related to the requirements of AB 2296.

4 The Phase 1 regs were developed to deal -- dealt
5 primarily with closure cost estimation and were approved
6 by OAL and are currently in effect.

7 Staff continues its effort to address the need
8 for financial assurances for the long-term care of closed
9 landfills through an extensive series of public workshops,
10 discussion papers, working group sessions and agenda
11 items.

12 The Phase 2 regs addressing long-term
13 post-closure maintenance and non-water corrective actions
14 have been drafted and will start the formal rule-making
15 process shortly. And we'll soon be providing to you our
16 recommendations and background for inclusion in the AB
17 2296 report that will go to the Legislature by the July 1
18 deadline.

19 --o0o--

20 EXECUTIVE DIRECTOR LEARY: Board staff continues
21 the implementation of the Board promulgated regs
22 implementing the Landfill Gas Monitoring Program, which
23 require that operators of active landfills are required to
24 submit landfill gas plans for LEA approval and Board
25 concurrence to ensure effective landfill gas monitoring

1 and control.

2 Extensive guidance was developed for use in the
3 preparation, review and implementation of the plans. A
4 series of training has been conducted around the state.

5 Of the 146 plans due, we received 129 plans -- or
6 the LEAs have received 129, and of those 51 have been
7 approved.

8 Of the 103 plans received by the Board, 21 have
9 received staff concurrence, eight have been deemed
10 acceptable, and 41 have required additional information.

11 --o0o--

12 EXECUTIVE DIRECTOR LEARY: We continue to lead
13 the charge on the disaster debris response. We completed
14 our after-action report on the 2007 southern California
15 wildfires and updated the Waste Board's disaster debris
16 web pages with new tools.

17 Staff continued its major role in disaster debris
18 management for the 2008 wildfire season, most recently in
19 the devastating southern California wildfires of November
20 of 2008.

21 We initiated an ongoing cross-program disaster
22 debris management team. We also participated in the
23 Golden Guardian emergency preparedness project that is
24 developing response protocols for a major California
25 earthquake.

1 --o0o--

2 EXECUTIVE DIRECTOR LEARY: Addressing a major
3 component of litter, both on land and in the ocean, we
4 worked through the Plastic Bag Recycling Program, which
5 included collaboration with the Ocean Protection Council
6 and other agencies to reduce marine debris; assisting
7 local governments and implementing plastic bag recycling.

8 --o0o--

9 EXECUTIVE DIRECTOR LEARY: And then in the legacy
10 subject of my presentation, setting the tone for the next
11 generation, we've made a major project in the education
12 and the environment initiative. All of the 85 EEI
13 curriculum units are at some stage of the development
14 process.

15 Experts from across the nation are providing
16 feedback and assuring accuracy.

17 Curriculum units are being field tested in school
18 districts across the state and feedback from teachers is
19 outstanding.

20 Diversification of our funding, this was very
21 successful in 2008. We've gotten contributions from
22 Cal/EPA and Resource Agency boards, departments, and
23 offices by assuring the completion of the curriculum as we
24 move forward.

25 When approved, the environmental and education

1 curriculum will be available, free of charge, to more than
2 1,000 California school districts serving over 10 million
3 students in grades K through 12.

4 --o0o--

5 EXECUTIVE DIRECTOR LEARY: And then continuing
6 on, in training and elevating the overall level of
7 understanding and appreciation for solid waste management.
8 The facility training was provided throughout the year on
9 a host of topics, including CEQA; solid waste permitting;
10 landfill gas; managing conflict; dead animal disposal;
11 universal, electric and radioactive waste; tire facility
12 and manifesting; as well as a full suite of health and
13 safety training.

14 The 11th annual LEA conference included operators
15 for the second year as well as LEAs, Board staff, and Tire
16 Enforcement grantees.

17 For the year, the training program and health and
18 safety program provided training to over 1,112
19 participants, an increase of 33 percent from last year,
20 and an additional 350 attendees at the conference, which
21 is an increase of 25 percent from the previous year.

22 From the inception of staff training, 91 classes
23 have been conducted, nearly 900 enrollments, and over 350
24 staff attending at least one training session.

25 And we have another series of classes involving

1 the Principles of Integrated Waste Management crafted and
2 slated to begin in April of this year.

3 --o0o--

4 EXECUTIVE DIRECTOR LEARY: I want to close by
5 congratulating and thanking staff for a job well done;
6 also, for the hard work and the leadership and the
7 difficult policy making conducted by the Board in 2008.

8 We have many challenges that we're facing in the
9 upcoming year. But I, for one, have full confidence in
10 the dedication and the ability of the staff to meet those
11 challenges, to rise above all the external distractions,
12 and to do their best work, as always.

13 With that, Madam Chair, I complete my
14 presentation.

15 CHAIRPERSON BROWN: I feel we need to stand and
16 applaud.

17 Does anybody have any questions regarding the
18 presentation from Mark?

19 Senator Kuehl.

20 BOARD MEMBER KUEHL: I'm sure the Chair's also
21 going to conclude by thanking everyone. I just have one
22 small suggestion for a change.

23 I don't know whether this presentation is only
24 for the Board and therefore is not shown to anyone else.

25 EXECUTIVE DIRECTOR LEARY: Actually, let me

1 answer that question. We're preparing a full written text
2 of this report that we will post on our web pages, and
3 then an annotated kind of an executive summary that will
4 be designed as a left behind when meeting with legislators
5 and other stakeholders, or something to distribute
6 actively in our interactions with our stakeholders
7 including legislators.

8 BOARD MEMBER KUEHL: Excellent idea. And I think
9 it should be implemented.

10 And my only recommendation is that the -- in
11 terms of the EEI curriculum part, the presentation, though
12 it wasn't what you said, seems to indicate -- or it looks
13 to indicate that the curriculum has been made available or
14 is made available. And since we have just approved a
15 hiring of a fund raiser to raise a whole bunch of money to
16 make that available, I just think it ought to be more in
17 the future tense.

18 EXECUTIVE DIRECTOR LEARY: We will make that
19 clear. Thank you for that suggestion.

20 BOARD MEMBER KUEHL: So that funders don't look
21 at it and think --

22 EXECUTIVE DIRECTOR LEARY: Absolutely.

23 BOARD MEMBER KUEHL: -- "Oh, well, what am I
24 doing?" You know, this is already going somewhere.

25 EXECUTIVE DIRECTOR LEARY: Great point.

1 Absolutely.

2 BOARD MEMBER KUEHL: Thank you, Madam Chair.

3 EXECUTIVE DIRECTOR LEARY: We will make that
4 clear.

5 Thank you.

6 CHAIRPERSON BROWN: Excellent suggestion.

7 And I do want to acknowledge the staff. It's
8 clear the recycling revolution has taken hold in
9 California and we are leading the nation in recycling
10 efforts. And even in these tough economic times, the hard
11 work of our staff, our stakeholders, and our partners have
12 shown that we are successful at this venture. And I think
13 that your presentation, Mark -- the breadth and depth of
14 what we do here at the Board, our tentacles reach far and
15 wide, and much farther than just recycling efforts. I
16 think we truly are safeguarding human health and the
17 environment. And so I do want to thank staff,
18 stakeholders that are here or listening in, and our
19 partners in local government and the LEA program, an
20 integral partner in what we do.

21 So congratulations to all of you. Job well done.
22 You should be proud of your efforts.

23 Thank you for the presentation.

24 EXECUTIVE DIRECTOR LEARY: Thank you, Madam
25 Chair.

1 CHAIRPERSON BROWN: We do have another sort of
2 mixed blessing as we move onto the next item before we
3 start our regular business this morning. We're both
4 saddened and joyful to bid farewell to two longtime Waste
5 Board employees who are retiring after many, many years
6 with the Board. We have resolutions for each of them.
7 And I'd like to begin.

8 Although Nancy Jestreby is not here, I would like
9 to acknowledge her and the years that she's been here.
10 And we will present her with her resolution in the coming
11 days.

12 Nancy started her career in 1975 working for a
13 number of State agencies before joining the Waste Board in
14 1991.

15 Nancy worked in the Financial Assurance Section
16 on a number of regulatory packages and with landfill
17 operators to ensure that they were in compliance with our
18 regulations.

19 Nancy has worked with some of the largest
20 landfills in the country and, in fact, was instrumental in
21 making sure funds were available for the closure of BKK in
22 West Covina.

23 Nancy, wherever you are - hopefully you're
24 listening - we want to congratulate you on your retirement
25 after 33 years. And thank you for the excellent work

1 you've done over the last 17 years here at the Integrated
2 Waste Management Board.

3 We'll miss you and hope you the best in
4 retirement.

5 We're also saying goodbye this morning to Mary
6 Madison-Johnson.

7 Mary, you're here. Can you please join us up
8 front.

9 (Applause.)

10 CHAIRPERSON BROWN: Mary's retiring after 36
11 years of State service, thirty-three of which have been
12 spent here at the Waste Board. In fact, there are only --
13 there's only one other person here that has served longer
14 than Mary.

15 Mary started her career in State service in 1973,
16 and moved to the State Integrated -- or the State Waste
17 Board in 1976. She worked in the executive office before
18 moving to our Enforcement Division, where she took on a
19 wide variety of tasks, including permitting, inspections
20 and special projects. She spent many years working in the
21 LEA programs, preparing regulations for certifying and
22 evaluating our LEAs.

23 Mary finally moved back to permitting and is
24 ending her career with the Redwood Landfill as her last
25 permit.

1 (Laughter.)

2 (Applause.)

3 CHAIRPERSON BROWN: Mary, congratulations for
4 your long and excellent service to the Board. Good luck
5 in retirement and we will certainly miss you.

6 MS. MADISON-JOHNSON: Thank you so much.

7 CHAIRPERSON BROWN: And I'd like to invite the
8 Board members. We'd like to come down and present you
9 with a resolution for your years of service. And we'll do
10 some photos. Thank you.

11 (Applause.)

12 (Standing applause.)

13 (Thereupon pictures were taken.)

14 CHAIRPERSON BROWN: Okay. Thank you, all.

15 Now we'll move to our regular part of the
16 calendar. We have our consent agenda. Items 1 revised,
17 2, 7 and 9 are on the consent agenda.

18 Any members wish to pull any items from the
19 agenda?

20 Can I have a motion?

21 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
22 the consent agenda.

23 BOARD MEMBER LAIRD: Second.

24 CHAIRPERSON BROWN: It's been moved by Member
25 Mulé and seconded by Member Laird.

1 Kristen, can you call the roll.

2 EXECUTIVE ASSISTANT GARNER: Kuehl?

3 BOARD MEMBER KUEHL: Aye.

4 EXECUTIVE ASSISTANT GARNER: Laird?

5 BOARD MEMBER LAIRD: Aye.

6 EXECUTIVE ASSISTANT GARNER: Migden?

7 BOARD MEMBER MIGDEN: Aye.

8 EXECUTIVE ASSISTANT GARNER: Mulé?

9 BOARD MEMBER MULÉ: Aye.

10 EXECUTIVE ASSISTANT GARNER: Petersen?

11 BOARD MEMBER PETERSEN: Aye.

12 EXECUTIVE ASSISTANT GARNER: Brown?

13 CHAIRPERSON BROWN: Aye.

14 Thank you.

15 The consent agenda passes.

16 Items 4, 5, 8, 10, 11 and 12 revised will be
17 heard on the fiscal -- as part of fiscal consent.

18 Items 3, 6 and 13 were heard in committee only.

19 There were no items pulled from the agenda this
20 month. And there are no items that will be heard in their
21 entirety by the full Board.

22 So we will move first to our Permitting Committee
23 Chair and ask Chair Mulé if she wishes to make a committee
24 report.

25 BOARD MEMBER MULÉ: Yes, I would. Thank you,

1 Madam Chair.

2 We did have quite a busy meeting, and we had
3 several items, which I will now report on.

4 We had one permit item for the Willits Transfer
5 Station and Recycling Center. And that was put on
6 consent, with the NDFE being approved.

7 We did also put on consent the compliance order
8 completion for the city of Inglewood.

9 And we had three items pertaining to cleanup
10 programs. First, we heard a presentation from staff on
11 the 15-year anniversary of the Solid Waste Disposal and
12 Codisposal Site Cleanup Program, which also was in our
13 accomplishments presentation that Mark just made.

14 And then we placed on fiscal consent the
15 consideration of grant awards for the Farm and Ranch Solid
16 Waste Cleanup and Abatement Program. And also on fiscal
17 consent is a Solid Waste Disposal Site Cleanup Program
18 award for the installation of a trash capture and removal
19 system for the Tijuana River Valley in San Diego County.

20 We had two items related to tire issues. First,
21 we provided direction for an additional 15-day comment
22 period to notice the revisions to the Waste Tire Hauler
23 Registration and Manifesting Regulations.

24 And we also provided direction to staff to
25 proceed with the streamlined process for stipulated waste

1 tire hauler and facility administrative penalty cases.

2 And last, but not least, building on what Ricardo
3 Martinez shared with us today, we did have an item
4 pertaining to our border issues. And so we also put on
5 fiscal consent the scope of work for technical assistance
6 for the development of a model integrated waste tire
7 management plan for the State of Baja California in
8 Mexico.

9 And that concludes my report. Thank you.

10 CHAIRPERSON BROWN: Thank you very much.

11 Now we'll move to the fiscal consent items under
12 the Permitting and Compliance Committee. And the first is
13 Item 4.

14 Ted.

15 WASTE COMPLIANCE & MITIGATION PROGRAM DIRECTOR

16 RAUH: Yes, thank you Chair Brown. I'm Ted Rauh, Program
17 Manager for the Waste Compliance and Mitigation Program.

18 And Item 4 is Consideration of the Tijuana River
19 Valley and Estuary Goat Canyon Trash Capture and Removal
20 System, which is a real mouthful, but basically collects
21 trash coming down in storm events from Mexico into the
22 Tijuana estuary. A very important project. The estimated
23 cost is \$250,000. It would be managed through a
24 Board-managed cleanup.

25 Staff recommends that the Board approve this

1 project and adopt Resolution 2009-12.

2 That concludes the staff presentation.

3 CHAIRPERSON BROWN: Thank you, Ted.

4 Any questions?

5 BOARD MEMBER MULÉ: Madam Chair, I'd like to move

6 Resolution 2009-12.

7 BOARD MEMBER KUEHL: Second.

8 CHAIRPERSON BROWN: It's been moved by Member

9 Mulé and seconded by Member Kuehl.

10 Kristen, can you call the roll.

11 EXECUTIVE ASSISTANT GARNER: Kuehl?

12 BOARD MEMBER KUEHL: Aye.

13 EXECUTIVE ASSISTANT GARNER: Laird?

14 BOARD MEMBER LAIRD: Aye.

15 EXECUTIVE ASSISTANT GARNER: Migden?

16 BOARD MEMBER MIGDEN: Aye.

17 EXECUTIVE ASSISTANT GARNER: Mulé?

18 BOARD MEMBER MULÉ: Aye.

19 EXECUTIVE ASSISTANT GARNER: Petersen?

20 BOARD MEMBER PETERSEN: Aye.

21 EXECUTIVE ASSISTANT GARNER: Brown?

22 CHAIRPERSON BROWN: Aye.

23 The resolution passes.

24 Next item, Item 5.

25 Ted.

1 WASTE COMPLIANCE & MITIGATION PROGRAM DIRECTOR

2 RAUH: Yes, thank you.

3 Item 5 is consideration of the grant awards for
4 the Farm and Ranch Solid Waste Cleanup and Abatement Grant
5 Program. This is for the second cycle. We have four
6 grants totaling \$134,887 for Fiscal Year 2008 and 9.

7 Staff recommends that the Board approve these
8 four projects and adopt Resolution No. 2009-13.

9 And that concludes the staff's presentation.

10 CHAIRPERSON BROWN: Thank you, Ted.

11 Any questions?

12 Motion?

13 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
14 Resolution 2009-13.

15 BOARD MEMBER KUEHL: Second.

16 CHAIRPERSON BROWN: It's been moved by Member
17 Mulé, seconded by Member Kuehl.

18 Kristen, can you call the roll.

19 EXECUTIVE ASSISTANT GARNER: Kuehl?

20 BOARD MEMBER KUEHL: Aye.

21 EXECUTIVE ASSISTANT GARNER: Laird?

22 BOARD MEMBER LAIRD: Aye.

23 EXECUTIVE ASSISTANT GARNER: Migden?

24 BOARD MEMBER MIGDEN: Aye.

25 EXECUTIVE ASSISTANT GARNER: Mulé?

1 BOARD MEMBER MULÉ: Aye.

2 EXECUTIVE ASSISTANT GARNER: Petersen?

3 BOARD MEMBER PETERSEN: Aye.

4 EXECUTIVE ASSISTANT GARNER: Brown?

5 CHAIRPERSON BROWN: Aye.

6 And, Ted, you're up again. Item 8.

7 WASTE COMPLIANCE & MITIGATION PROGRAM DIRECTOR

8 RAUH: Thank you.

9 And Item 8 is consideration of the scope of work
10 for technical assistance for the development of a Model
11 Integrated Waste Tire Management Plan for the State of
12 Baja California, Mexico.

13 This is an important work - \$160,000 spread over
14 three years - and will provide a framework which will
15 allow the State of Baja and its municipalities to
16 effectively develop their own waste tire management plan.
17 And with this planning effort, we're certainly hopeful
18 that we won't see the same kinds of tires flowing down
19 into California in the earlier project I mentioned.

20 With that said, staff recommends approval of the
21 proposed scope of work and adoption of Resolution 2009-15.

22 And that concludes the staff presentation.

23 CHAIRPERSON BROWN: Thank you, Ted.

24 Any questions?

25 BOARD MEMBER MULÉ: Madam Chair, I'd like to move

1 Resolution 2009-15.

2 BOARD MEMBER PETERSEN: And I'll second it.

3 CHAIRPERSON BROWN: It's been moved by Member
4 Mulé and seconded by Member Petersen.

5 Kristen, can you call the roll.

6 EXECUTIVE ASSISTANT GARNER: Kuehl?

7 BOARD MEMBER KUEHL: Aye.

8 EXECUTIVE ASSISTANT GARNER: Laird?

9 BOARD MEMBER LAIRD: Aye.

10 EXECUTIVE ASSISTANT GARNER: Migden?

11 BOARD MEMBER MIGDEN: Aye.

12 EXECUTIVE ASSISTANT GARNER: Mulé?

13 BOARD MEMBER MULÉ: Aye.

14 EXECUTIVE ASSISTANT GARNER: Petersen?

15 BOARD MEMBER PETERSEN: Aye.

16 EXECUTIVE ASSISTANT GARNER: Brown?

17 CHAIRPERSON BROWN: Aye.

18 Resolution passes.

19 Thank you, Ted.

20 We'll move next to fiscal consent items under the
21 Strategic Policy Committee.

22 And Mark will do the presentation.

23 EXECUTIVE DIRECTOR LEARY: Yes, Madam Chair. I'm
24 asking for your consideration and approval of Agenda Item
25 10, the Consideration of Allocation Proposals to be Funded

1 from the Integrated Waste Management Account for Fiscal
2 Year 2008-9.

3 In this proposal, we're asking for your blessing
4 and support for three separate items:

5 \$200,000 for an EEI professional fund raiser;

6 \$250,000 for a statewide programmatic EIR for
7 anaerobic digestion facilities; and

8 \$30,000 for a study for the correlation between
9 compost pile temperature, moisture content and air
10 emissions.

11 We seek your concurrence and blessing of
12 Resolutions 2009-16, 17 and 18.

13 CHAIRPERSON BROWN: Thank you.

14 Any questions regarding any of these contract
15 items?

16 Can I have a motion? I think we can do it as a
17 group.

18 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
19 Resolutions 2009-17, 2009-18, and 2009-16.

20 CHAIRPERSON BROWN: Do I have a second?

21 BOARD MEMBER PETERSEN: I'll second it.

22 CHAIRPERSON BROWN: It's been moved by Member
23 Mulé, seconded by Member Petersen.

24 Kristen, can you call roll.

25 EXECUTIVE ASSISTANT GARNER: Kuehl?

1 BOARD MEMBER KUEHL: Aye.

2 EXECUTIVE ASSISTANT GARNER: Laird?

3 BOARD MEMBER LAIRD: Aye.

4 EXECUTIVE ASSISTANT GARNER: Migden?

5 BOARD MEMBER MIGDEN: Aye.

6 EXECUTIVE ASSISTANT GARNER: Mulé?

7 BOARD MEMBER MULÉ: Aye.

8 EXECUTIVE ASSISTANT GARNER: Petersen?

9 BOARD MEMBER PETERSEN: Aye.

10 EXECUTIVE ASSISTANT GARNER: Brown?

11 CHAIRPERSON BROWN: Aye.

12 The resolution passes.

13 Now we'll move to fiscal consent items under
14 jurisdiction of the Market Development and Sustainability
15 Committee. And I'll ask Chair Petersen, if you have a
16 Committee Chair report.

17 BOARD MEMBER PETERSEN: Good morning, Madam
18 Chair.

19 We heard three items in committee. And two are
20 on fiscal consent today.

21 Consideration of the Recycling Market Development
22 Revolving Loan Program applications for Peninsula Plastics
23 Recycling, which is more market development in the State
24 of California.

25 Yahoo!

1 And we've got another consideration of grant
2 awards for the Rubberized Asphalt Concrete Grants Program.

3 And we also heard -- we had a special hearing
4 with the materials consuming mills in our Committee. And
5 we heard from them regarding what's going on in the
6 recycling marketplace here in California and also
7 overseas.

8 This is a series that we want to continue on
9 with, which we are planning another hearing, which will
10 involve the actual users of materials recycled content and
11 the products. We found this very educational and we are
12 going to work more with staff with regards to trying to
13 see what we can do to help shore up the marketplace here
14 in California.

15 And that concludes my report.

16 CHAIRPERSON BROWN: Thank you very much, Gary.

17 And we'll move to the fiscal consent items
18 starting with No. 11.

19 Howard.

20 SUSTAINABILITY PROGRAM DIRECTOR LEVENSON: Thank
21 you, Madam Chair, and good morning, Board members. For
22 the record, I'm Howard Levenson, Director of the
23 Sustainability Program.

24 Agenda Item 11 is consideration of the RMDZ loan
25 application for Peninsula Plastics Recycling,

1 Incorporated.

2 Peninsula will be manufacturing plastic
3 polyethylene terephthalate, or PET, flakes and pellets.
4 It will be used as a feedstock for clamshell packaging.
5 It's requesting \$2 million for this loan, primarily to
6 finance equipment. And This is -- as Member Petersen just
7 indicated, this is exactly the kind of facility that we
8 are very pleased to be bringing into California and be
9 bringing to you for your consideration.

10 So staff recommends Option 1 and the adoption of
11 Resolution 2009-8.

12 Thank you.

13 CHAIRPERSON BROWN: Thank you, Howard.

14 Do we have any questions on this item?

15 BOARD MEMBER PETERSEN: Madam Chair, I'd like to
16 move Resolution 2009-8.

17 BOARD MEMBER KUEHL: Second.

18 CHAIRPERSON BROWN: It's been moved by Member
19 Peterson, seconded by Member Kuehl.

20 Kristen, can you call the roll.

21 EXECUTIVE ASSISTANT GARNER: Kuehl?

22 BOARD MEMBER KUEHL: Aye.

23 EXECUTIVE ASSISTANT GARNER: Laird?

24 BOARD MEMBER LAIRD: Aye.

25 EXECUTIVE ASSISTANT GARNER: Migden?

1 BOARD MEMBER MIGDEN: Aye.

2 EXECUTIVE ASSISTANT GARNER: Mulé?

3 BOARD MEMBER MULÉ: Aye.

4 EXECUTIVE ASSISTANT GARNER: Petersen?

5 BOARD MEMBER PETERSEN: Aye.

6 EXECUTIVE ASSISTANT GARNER: Brown?

7 CHAIRPERSON BROWN: Aye.

8 The resolution passes.

9 And our last item.

10 Howard, Item 12.

11 SUSTAINABILITY PROGRAM DIRECTOR LEVENSON: Thank
12 you, Madam Chair.

13 Item 12 is the grant awards for the Rubberized
14 Asphalt Concrete, or RAC, Grant Programs. This is the
15 first of two cycles for this fiscal year. Pursuant to
16 Board directions in August of last year, we now have a
17 joint solicitation for the three different components of
18 the RAC grants, which I think has greatly eased the burden
19 on both applicants and certainly on staff as well.

20 We're recommending that you approve grant awards
21 for RAC programs in three different areas:

22 There are eight applications, totaling \$1.675
23 million, for the Targeted Grant Program. That hits first
24 time our relatively inexperienced users of RAC.

25 There are five applications, totaling \$991,000

1 and change, for the Use Grant Program. That is
2 jurisdictions who've had more experience with RAC.

3 And then there are 13 applications, totaling
4 \$2.02 million, for our Chip Seal Program, which is for
5 surfacing applications that really don't require heavier
6 construction with RAC.

7 There are sufficient monies available to fully
8 fund all the eligible applications for the Use Grant and
9 the Chip Seal Grant programs. However, we were not able
10 to -- we do not have sufficient funds available to fund
11 all of the Targeted Grant programs.

12 So we have another cycle coming in. If there --
13 we have a B list of eligible applications. So if there's
14 funding available at the end of this fiscal year through
15 our reallocation item, we will bring that to you for
16 consideration of those additional applicants.

17 With that, I'd like to recommend Option 1 and
18 approval of Resolution 2009-9, Revision No. 2.

19 CHAIRPERSON BROWN: Thank you, Howard.

20 We have a question.

21 Senator Kuehl.

22 BOARD MEMBER KUEHL: You indicated there were
23 eight applications for the targeted funds. But you mean
24 we're funding eight of the 25 applications?

25 SUSTAINABILITY PROGRAM DIRECTOR LEVENSON: You're

1 correct. The eight that we deemed as eligible and passing
2 scores, that's correct.

3 BOARD MEMBER KUEHL: Okay, great. Thank you.

4 CHAIRPERSON BROWN: Thank you.

5 Any other questions?

6 BOARD MEMBER PETERSEN: Madam Chair, I'd like to
7 move Resolution 2009-9, Revision No. 2.

8 CHAIRPERSON BROWN: Okay.

9 BOARD MEMBER MULÉ: Second.

10 CHAIRPERSON BROWN: It's been moved by Member
11 Petersen, seconded by Member Mulé.

12 Kristen, can you call the roll.

13 EXECUTIVE ASSISTANT GARNER: Kuehl?

14 BOARD MEMBER KUEHL: Aye.

15 EXECUTIVE ASSISTANT GARNER: Laird?

16 BOARD MEMBER LAIRD: Aye.

17 EXECUTIVE ASSISTANT GARNER: Migden?

18 BOARD MEMBER MIGDEN: Aye.

19 EXECUTIVE ASSISTANT GARNER: Mulé?

20 BOARD MEMBER MULÉ: Aye.

21 EXECUTIVE ASSISTANT GARNER: Petersen?

22 BOARD MEMBER PETERSEN: Aye.

23 EXECUTIVE ASSISTANT GARNER: Brown?

24 CHAIRPERSON BROWN: Aye.

25 Resolution passes.

1 That concludes our regular business.

2 Any other new business, last comments?

3 We will move to closed session and adjourn from
4 closed session.

5 Thank you.

6 (Thereupon the California Integrated Waste
7 Management Board meeting recessed into
8 closed session at 10:31)

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1 CERTIFICATE OF REPORTER

2 I, JAMES F. PETERS, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing California Integrated Waste Management Board
7 meeting was reported in shorthand by me, James F. Peters,
8 a Certified Shorthand Reporter of the State of California,
9 and thereafter transcribed into typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in any
12 way interested in the outcome of said meeting.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 26th day of January, 2009.

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22 JAMES F. PETERS, CSR, RPR

23 Certified Shorthand Reporter

24 License No. 10063

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